



9. Denied.

**FIRST AFFIRMATIVE DEFENSE**

The Plaintiffs have failed to state a valid claim upon which relief may be granted and Defendant is entitled to dismissal of this action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure as incorporated through Rule 7012(b) of the Federal Rules of Bankruptcy Procedure.

**SECOND AFFIRMATIVE DEFENSE**

Pursuant to 11 U.S.C. § 1322(b)(2), the Plaintiff is prohibited from avoiding Defendant's lien and must pay the Defendant's claim according to its contractual terms.

**THIRD AFFIRMATIVE DEFENSE**

US Bank reserves the right to assert all other affirmative defenses to the Complaint that are unknown at this time but that may be discovered during the course of this lawsuit.

Wherefore, US Bank prays for the court to grant the following relief:

1. To dismiss the Complaint with prejudice;
2. To deny recovery by the Plaintiffs from Defendant US Bank;
3. To tax the costs of the action against the Plaintiffs; and
4. To grant such other and further relief as the court deems just and proper.

Dated this 21<sup>st</sup> day of May, 2009.

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CERTIFICATE OF SERVICE

This is to certify that the foregoing Answer of US Bank Consumer Finance was served upon the following parties by depositing copies of same in the United States mail, first-class postage prepaid addressed as follows:

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Dated this 21<sup>st</sup> day of May, 2009

s/ Kristin Decker Ogburn  
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